REMARKS

Claims 1-20 are rejected under 35 U.S.C. 103(a) as being untpatentable over the combination of U. S. Patents 6,721,316 (EPPS) and 6,611,522 (ZHENG). Claims 19 and 20 are canceled. The Examiner is respectfully requested to allow the remaining claim 1-18 for the reasons set forth below.

Claim 1

Claim 1 recites "receiving each incoming [variable length] packet and generating a cell sequence...wherein each cell...is of a uniform size" and then "making a determination as to at least one cell...as to whether to discard the cell or store the cell in memory." In other words, the applicant's network switch converts a variable size packet into a sequence of uniform sized cells, and then decides whether to discard each cell on a cell-by-cell basis. Neither EPPS nor ZHENG individually or taken together teach this.

EPPS teaches a device that receives a variable length IP packet and then either saves it in its entirety or discards it in its entirety. However, EPPS does not teach or suggest that a network switch should first convert a variable length IP packet into a sequence of uniform sized cells and then decide whether to save or discard cells on a cell-by-cell basis as recited in the applicant's claim 1.

ZHENG teaches that some networks convey IP information as variable length IP packets while other networks convey IP information as uniform length ATM cells. ZHENG teaches a device that can concurrently act both as an IP packet routing facility and as an ATM cell switch (col. 8, lines 4-17). When the device receives either a variable length IP packet or a uniform length ATM cell, it determines whether to discard or save and forward the IP packet or the ATM cell. Col. 14, lines 21-34 discuses discarding ATM cells, and Col. 14, lines 35-44 discuses discarding IP packets. However, ZHENG does not teach or suggest that a network switch should first convert a variable length IP packet into a sequence of uniform sized cells and then decide whether to save or discard cells on a cell-by-cell basis as recited in the applicant's claim 1.

Claim 1 is therefore patentable over EPPS and ZHENG because they do not individually or collectively teach or suggest that a network

switch receiving a variable length IP packet should convert it into a sequence of uniform length cells and then determining whether to save or discard cells on a cell-by-cell basis.

Claims 2-10

Claims 2-10 depend on claim 1 and are patentable over the combination of EPPS and ZHENG for similar reasons.

Claim 11

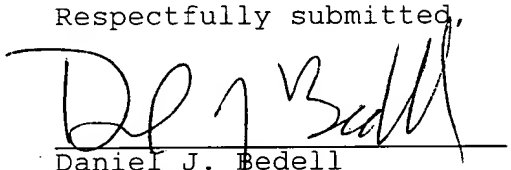
Claim 11 recites an apparatus including elements having function similar to the steps of the method recited in claim 1 and is therefore patentable over the combination of EPPS and ZHENG for similar reasons.

Claims 12- 18

Claims 12-18 depend on claim 11 and are patentable over the combination of EPPS and ZHENG for similar reasons.

In view of the foregoing amendments and remarks, it is believed the application is in condition for allowance. Notice of Allowance is therefore respectfully requested.

Respectfully submitted,



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